

TOWN BOARD MEETING

MAY 18, 2006

Supervisor Pagones opened the Town Board meeting at 9:30 am, Town Hall, 807 Route 52, Fishkill, New York and led the audience with the "Pledge of Allegiance".

Present: Supervisor Joan A. Pagones; Town Board members, Steve Ferguson, Ronald Leenig, Heather Malvarosa, Dennis Zack; Town Attorney, Ronald Blass; Town Engineer, John Andrews; Pamela Garnot - Supervisor's Assistant, Susan McGuire - Personnel Director, Paul Gromkowski - Housing Director, John Darcy – Assistant Housing Director, Robert Wheeling - Comptroller, Christopher Colsey - Municipal Development Director, Bill Ratigan - Parks Superintendent Ray VanVoorhis, Architect, David Burke - Hudson Valley Renegades; and Town Clerk, Darlene Bellis

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

None

PRESENTATION(s)

Save the Mount Beacon Fire Tower

Supervisor Pagones read (**copy attached to original minutes**) a letter from John Hupe in regard to saving the Mount Beacon Fire Tower.

Supervisor Pagones asked Councilman Leenig to get in contact with John Hupe and ask if he would like to come to one of the on the road town board meeting to present to the board the restoration project of the Mount Beacon Fire Tower.

Ray VanVoorhis - Proposed Veteran/War Memorial

Ray VanVoorhis, Architect, made his presentation with respect to the proposed Veteran/War Memorial. He stated the following: the property is located between the police station and the future/new recreation building; the recognition is for those Town of Fishkill residents who were involved in any war conflicts, there will be a serpentine wall with granite plaques, natural material, and stamped concrete. The major part of the money spent is on the plaques itself, there will be different sculptures and emblems, there will be a fountain area near the top to trickle down to a gathering point, it will be total wheel chair accessible with partial screening/shaded areas.

Supervisor Pagones stated it will be really beautiful and she is ready to get started.

Councilman Zack suggested that the wall also honors the Revolutionary war, War of 1812, the Civil War and asked Mr. VanVoorhis to talk with Willa Skinner, the Town Historian, to determine on how to honor those individuals.

Councilman Leenig stated the members of the VFW were excited and will be at the ground breaking on Memorial Day.

Town Engineer, John Andrews, speaks to the issue of construction cost, there is a magic line which is the police facility property line, they have to keep entire project on the recreation building site which is a park site, site preparation and grading work for the parking facilities, storm water facilities, reason this area was chosen is it is a natural extension of doing those activities, there will be a parallel traffic with the recreation building and this site, the materials and earth work will be minimal, there is a step down affect but trying to keep it as close to existing grade as possible to minimize the cuts and fills, it should work out well. A lot of the fine details have not been fine tuned; we are trying to give the Board a vision, the cost with a number of series of snap shots equal a total cost of \$66,000 without specialty items (fountains, plaques, etc.) and \$125,000-\$150,000 with specialty items.

Supervisor Pagones stated it should be named the Town of Fishkill War Memorial Park.

DISCUSSION(s)

Friends of Glenham - Save the Texaco Recreation Area

Supervisor Pagones stated she has before her a petition submitted by the Friends of Glenham - Save the Texaco Recreation Area. She went on stating that she appreciates the support and the town will have public input session. Supervisor Pagones then read the petition (**copy attached to original minutes**).

Supervisor Pagones appreciates the support and will have public input will look for uses that are productive for the Glenham community.

MOTION(s) TO APPROVE/ADOPT

Annual Stormwater MS-4 Report

Town Engineer, John Andrews, presented and reviewed the Annual Stormwater MS-4 Report (**copy in Town Clerk's file**) to the Board for their approval. We are required to prepare and submit to the State of New York a Municipal Compliance Certification which tells how you are doing along this program, and an annual report which addresses six items. The annual report must be filed by June 1st, 2006. John Andrews asked permission to submit the report to Glenn Scofield, Bill Ratigan, and Chris Colsey to make sure that it is consistent with what they know. Once he receives all the comments, he will amend the report and then it becomes the Town's responsibility to file the report by June 1st, 2006. There is no need for a resolution.

Motion made by Councilman Ferguson to approve the distribution of draft annual report to Glenn Scofield, Bill Ratigan, and Christopher Colsey for their comments and be prepared to submit the report to the State of New York by June 1st , 2006. Seconded by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

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Bid Award Recommendation
Town Engineer, John Andrews, reviewed his recommendation to award the Merritt Park Water/Sewer District Contract #1 and Contract #2. He stated that the low bidder for the water line job was H. Osterhoudt Excavations, and for the tank bidder was the only bidder, Preload Inc. The tank bid came in at the Town’s estimate but the water line bid came in higher than estimated. John Andrews continued that the maximum amount to be expended needs to be increased before the authorization of the bids is given. The impact on the single family home is from \$320 to the new cost of \$475. It is well within the order of the audit and control threshold.

Supervisor Pagones read (**copy attached to original minutes**) the resolution to set a public hearing to increase the amount to be expended to be held on June 3rd at 10:00 am at VanWyck Homestead.

Motion made by Councilman Ferguson to set a public hearing on June 03, 2006 at 10:00 am at the Van Wyck Homestead for the purpose of addressing the proposed increase in the maximum amount to be expended for the Merritt Park Water District from \$2,151,500.00 to \$3,548,166.00. Seconded by Councilman Leenig

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Town Engineer, John Andrews, stated that that means the Board cannot award the contracts until the close of the permissive referendum period that extends slightly beyond even using the best possible scenario with the hold open date for the bid and asked that he be empowered to contact each of the low bidders and ask if they would extend their bid price for an additional period of fifteen days not to exceed sixty days.

Motion made by Councilman Ferguson to empower John Andrews, Town Engineer, to contact each of the low bidders and ask if they would extend their bid price for an additional period of fifteen days not to exceed sixty days. Seconded by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Waiver and Hold Harmless Agreement - Brian Callahan and Town
Town attorney, Ronald Blass, reviewed the resolution dated May 18, 2006.

Supervisor Pagones read (**copy attached to original minutes**) the resolution approving and authorizing the supervisor to execute the waiver and hold harmless agreement between Brian Callahan and the Town of Fishkill.

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Motion made by Councilman Zack **to approve and authorize the Supervisor to execute the quitclaim conveyance between Brian Callahan and the Town of Fishkill for Haight Highway. Seconded** by Councilwoman Malvarosa

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

K104Fest event
David Burke thanked the Board for the opportunity to discuss the K104Fest with them. After some discussion regarding the type of music, the security, the insurance and it being good family fun for all, the board made the following motion.

Motion made by Councilman Ferguson **to approve the K104 Fest to be held on June 04, 2006 from 12:00 noon to 6:00 pm as requested and submitted. Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Flex Scheduling - Accounting, Municipal Development, and Receiver of Taxes
Susan McGuire explained in theory the reason behind the flex scheduling, to find a way to accommodate the departments and residents for the summer.

Robert Wheeling explained his flex plan
Christopher Colsey explained his flex plan
Supervisor Pagones read James A Foy’s flex plan

Supervisor Pagones read the proposed flex hour scheduling from the accounting department, municipal development department and the receiver of taxes department.

Motion made by Councilman Ferguson **to approve the flex scheduling proposed by the accounting, municipal development and receiver of taxes departments.** **Seconded** by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

MOTION(s) TO ACCEPT RESIGNATION

Police Officer - Chad D. Clouting

Motion made by Councilman Ferguson **to accept the resignation of Police Officer Chad D. Clouting effective May 19, 2006.** **Seconded** by Councilman Zack
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

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Director of All Day Camp - Amy Paterson

Motion made by Councilwoman Malvarosa **to accept the resignation of Amy Paterson as Director of All Day Camp at Brinckerhoff effective 05-18-2006.** **Seconded** by Councilman Zack
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

MOTION(s) TO APPOINT

Director of All Day Camp - Amanda Vogel

Motion made by Councilwoman Malvarosa **to appoint Amanda Vogel as the Director of All Day Camp Brinckerhoff effective 05-18-2006 at and hourly rate of \$14.00.** **Seconded** by Councilman Zack
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

POLICE MONTHLY STATISTICS REPORT

Police Monthly Statistics Report - 04/2006

Councilman Ferguson read (**copy attached to original minutes**) the Police monthly statistics report for April 2006 and made a **Motion to accept the report as submitted.** **Seconded** by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

BUDGET TRANSFERS

Motion made by Councilwoman Malvarosa **to approve the budget transfers as submitted as follows:**

Comptroller \$ 16,960 to reclass Snook Road well field from BAN to
Serial Bond and associated entries in debt
service fund

(copies attached to original minutes)

Seconded by Councilman Zack

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

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NEW and OLD BUSINESS

Councilwoman Malvarosa

May 21st, us the Town's 3rd Annual Dog Show Off, from 12:00 noon to 4:00 pm, on the grounds of Town Hall, all dogs must be on a leash, cats and ferrets need to be in cages. At the Signature Dog Show Off all family pets are welcome, awards for every participant will be given, and a fundraiser of donations will go to the local animal shelters.

She continued by stating the Dial – A – Ride applications are in the senior center.

Councilman Zack

Motion made to appoint Phillip Jordon as an intern to the Parks Department at a starting salary of \$10.00/hour. Seconded by

Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Motion made to appoint Thomas LaBarr to the Environmental Board with an expiration of 12-31-2008. Seconded by Councilwoman

Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Councilman Ferguson

Motion made to allow police officers to perform PBA detail for security for Cole Brothers Circus at the Dutchess Stadium on June

1st, and 2nd - all proper paperwork is in order. Seconded by
Councilman Zack
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Councilman Leenig
He thanked everyone who has been working on the Fishkill War Memorial.
He announced that the Memorial Day service will be held here at 9:30am,
Supervisor Pagones will be the guest speaker, refreshments will be served
after the service, and the Village ceremony will be at 11:00am - Fishkill
Rural Cemetery at 12:00pm

Supervisor Pagones
**Motion made to appoint Thomas Knips Jr. as a college intern to work
with the Town Engineer, John Andrews, at a rate of \$10.00/hour.**
Seconded by Councilman Zack
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

She stated that tonight there is a Red Cross salute to local heroes, an award
will be given to Kim Campos, a major in the Army Reserves, and she is also
an investigator for the New York State Police.

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John Andrews
Town Engineer, John Andrews, reviewed (**copy attached to original
minutes**) the Short Environmental Assessment Form for the land sale to
Fishkill II Building Associates, LLC located on Riga Boulevard,
approximately 500 feet north and east of Hudson View Drive, otherwise
known as the former Hudson View Water Works upper well field.

Supervisor Pagones read (**copy attached to original minutes**) the negative
declaration to sell a 7.1± acre parcel of real property located on Riga
Boulevard, approximately 550 feet north and east of Hudson View Drive to
Fishkill II Building Associates, LLC.

Motion made by Councilwoman Malvarosa **to adopt the negative
declaration as read above and submitted. Seconded** by Councilman
Zack

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Supervisor Pagones read (**copy attached to original minutes**) a resolution
approving the conveyance of vacant land on Riga Boulevard to Fishkill II

Building Associates, LLL subject to permissive referendum in accordance with the provisions of Article 7 of the Town Law and authorizing the Supervisor to execute the proposed agreement.

Motion made by Councilman Ferguson **to approve said conveyance of vacant land subject to permissive referendum and authorize the Supervisor to execute the proposed agreement.** **Seconded** by Councilman Leenig

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Agreement with Toll VanWyck, LLC

Supervisor Pagones read (**copy attached to original minutes**) a resolution approving the terms of the 2004 water agreement, the amount of undertaking and letter of credit provided by Toll to the Town shall be reduced by the amount of \$236,549.05 based on the issuance of 85 certificates of occupancy.

Motion made by Councilman Leenig **to approve the terms of the 2004 water agreement as stated above and to reduce the letter of credit provided by Toll by the amount of \$236,549.05.** **Seconded** by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Municipal Agreement

Supervisor Pagones read (**copy attached to original minutes**) a resolution approving and authorizing the supervisor to execute a proposed Inter-municipal Agreement for the procurement of services for an Informational Announcement.

Motion made by Councilman Leenig **to approve and authorize the Supervisor to execute a proposed Inter-municipal Agreement for the procurement of services for an Informational Announcement in the total amount of \$9,800.00.** **Seconded** by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

ADJOURNMENT

Motion made by Councilman Zack **to adjourn the meeting.** **Seconded**
by Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Meeting adjourned at 10:50am

Respectfully submitted,

Darlene Bellis

Town Clerk